

Certificate of Mailing:

I, the undersigned certifies that this correspondence is being sent via first-class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 12th day of March, 2004.

(s)

Linnea S. Evans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lovenberg et al. Atty. Docket: JJPR-0043
Serial No.: 10/727,021 Art Unit: unknown
Filed: December 2, 2003 Examiner: unknown
For: DNA Encoding A Human Histamine Receptor of the H3 Subtype

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Statement supplements the Information Disclosure Statement dated March 2, 2004. Pursuant to 37 C.F.R. § 1.56 and in accordance with 37 C.F.R. §§ 1.97-1.98, Applicant submits the accompanying Form PTO-1449 citing additional references relating to the above-identified application.

This Statement is being filed under the provisions of 37 C.F.R. § 1.97(b)(3), i.e., before the mailing of a first Office Action on the merits. In the event that a first Office Action on the merits has been mailed, then this Statement is being filed under 37 C.F.R. § 1.97(c)(2) and the Commissioner is requested to charge Deposit Account No. 10-0750 for the \$180.00 fee set forth in 37 C.F.R. § 1.17(p).

Copies of the cited references are enclosed. The two cited U.S. patents, which are in the English language, are counterparts of International Publication No. WO 93/14070, which, except for the abstract, is not in the English language.

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This Statement should not be construed as an admission that any information provided herewith is material as that term is defined in 37 C.F.R. § 1.56(b) or that any cited reference qualifies as prior art. This Statement should not be construed as a representation that a search has been made, or that information more material does not exist.

The Examiner is respectfully requested to initial the citations on the Form PTO-1449 to confirm consideration of each reference.

Respectfully submitted,

Date: March 12, 2004


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Ref. ORT1291DIV



-Sheet 1 of 1

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

JJPR-0043

10/727,021

APPLICANT

Lovenberg et al.

FILING DATE

December 2, 2003

GROUP ART UNIT

**INFORMATION DISCLOSURE
CITATION BY APPLICANT**

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | INVENTORS | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|----|-----------------|--------------------|-----------------|-------|----------|-------------------------------|
| | US | 5 5 5 9 1 1 3 | September 24, 1996 | Schwartz et al. | | | |
| | US | 5 7 0 8 1 7 1 | January 13, 1998 | Schwartz et al. | | | |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY/REGION | CLASS | SUBCLASS | TRANSLATION (if applicable) |
|--|----|-----------------|---------------|----------------|-------|----------|--------------------------------|
| | WO | 9 3 1 4 0 7 0 | July 22, 1993 | PCT | | | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.